

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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| UNITED STATES OF AMERICA | : | Case No: 21-cr-459 (CRC) |
| | : | |
| | : | |
| v. | : | 18 U.S.C. § 231(a)(3) – |
| | : | Civil Disorder |
| ANDREW WILLIAM GRISWOLD, | : | |
| | : | |
| Defendant. | : | |

STATEMENT OF OFFENSE

Pursuant to Federal Rule of Criminal Procedure 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, Andrew William Griswold, with the concurrence of his attorney, agree and stipulate to the below factual basis for the defendant's guilty plea—that is, if this case were to proceed to trial, the parties stipulate that the United States could prove the below facts beyond a reasonable doubt:

The Attack at the U.S. Capitol on January 6, 2021

1. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol.
2. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public.
3. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States

Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

4. As the proceedings continued in both the House and the Senate, and with Vice President Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

5. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by U.S. Capitol Police Officers or other authorized security officials.

6. At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of law enforcement, as others in the

crowd encouraged and assisted those acts. The riot resulted in substantial damage to the U.S. Capitol, requiring the expenditure of more than \$1.4 million dollars for repairs.

7. Shortly thereafter, at approximately 2:20 p.m., members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 p.m. after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

ANDREW WILLIAM GRISWOLD's Participation in the January 6, 2021, Capitol Riot

8. On January 6, 2021, at approximately 2:35 p.m. EST, GRISWOLD was in a crowd of individuals outside the U.S. Capitol's East Rotunda Doors. While unauthorized individuals were inside the building, the doors were closed. U.S. Capitol Police stood both inside and outside the doors, guarding them.

9. Members of the crowd outside the doors chanted "our house!" "stop the steal!" At least one individual in the crowd sprayed what appeared to be a chemical irritant at the officers.

10. At approximately 2:38 p.m., unauthorized individuals inside the Capitol, some wielding flagpoles, shoved past the police inside the doors and pushed the East Rotunda Doors open from the inside.

11. The crowd outside cheered. Some members of the crowd yelled, “keep the door open!” and “hold the line!”

12. With the doors open, individuals outside the Capitol began to push their way inside the building. Other individuals fought police in the doorway, trying to push and pull them out of the way to clear a path for rioters to enter.

13. A group of individuals outside the doors gathered together and, shouting “Heave! Ho!,” pushed, surging toward the entrance to the Capitol building. GRISWOLD joined this group, pushing on a rioter in front of him and advancing toward the open doors. He navigated his way toward a narrow passage through the open doorway, between police and the doorframe, and turned his body sideways to be able to advance inside the Capitol, entering at approximately 2:40 p.m.

14. After GRISWOLD entered the Capitol, he climbed up on a bench and held up a mobile phone, appearing to take a photograph or video of the scene. He then pointed toward a staircase, walked toward it, and began to climb the steps. As he climbed the stairs, GRISWOLD hugged another individual and repeatedly raised his fists in the air. Once upstairs, he made his way down a hallway and entered the gallery of the Senate.

15. After leaving the Senate gallery, GRISWOLD made his way out of the Capitol Building. After leaving the building, while standing on the steps leading to the East Rotunda Doors, he spoke with a member of the media, who posted a video of GRISWOLD’s statements to Twitter. GRISWOLD stated the following:

We took the building. They couldn't stop us. And now they know we can do it again and we will fucking do it again. This is America and we love this country and they are not going to fucking take it again.

Pelosi, Schumer, all you mofos, back off, this is our country, we are willing to do whatever it takes to keep it. Don't mess with us. Back off. This is our country. We showed 'em today. We took it. They ran. And hid.

16. GRISWOLD knew at the time he entered the U.S. Capitol Building that he did not have permission to enter the building.

Elements of the Offense

17. GRISWOLD knowingly and voluntarily admits to all the elements of Civil Disorder in violation of 18 U.S.C. § 231. Specifically, GRISWOLD admits that he committed, or attempted to commit, any act to obstruct, impede, or interfere with any law enforcement officers engaged in the lawful performance of his official duties, incident to, and during the commission of a civil disorder, and that the civil disorder obstructed, delayed, or adversely affected commerce or the performance of any federally protected function.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By: /s/ Alexis J. Loeb
Alexis J. Loeb
Assistant United States Attorney
Detailee

DEFENDANT'S ACKNOWLEDGMENT

Andrew Griswold
I, _____, have read this Statement of the Offense and have discussed it with my attorney. I fully understand this Statement of the Offense. I agree and acknowledge by my signature that this Statement of the Offense is true and accurate. I do this voluntarily and of my own free will. No threats have been made to me nor am I under the influence of anything that could impede my ability to understand this Statement of the Offense fully.

Date: March 23, 2022

Andrew William Griswold
Andrew William Griswold
Defendant

ATTORNEY'S ACKNOWLEDGMENT

I have read this Statement of the Offense and have reviewed it with my client fully. I concur in my client's desire to adopt this Statement of the Offense as true and accurate.

Date: 3-24-22

J. Christopher Klotz
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Attorney for Defendant